

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE: June 6, 2002

SUBJECT: Reports of Significant Developments and Activities
Ending on May 31, 2002

FROM: William E. Muno, Director
Superfund Division

TO: Thomas V. Skinner
Regional Administrator

Bharat Mathur
Deputy Regional Administrator

The activities listed below are organized by site-specific activities, training/conferences, and stakeholder feedback:

SITE-SPECIFIC ACTIVITIES

Settlement, SPX Service Solutions, Owatonna, Minnesota

On May 24, 2002, SPX Service Solutions, Inc., Owatonna, Minnesota, and the United States Environmental Protection Agency (U.S. EPA) entered into an agreement to resolve the administrative complaint issued against them on January 25, 2002. The complaint alleged that SPX Service Solutions, Inc., failed to submit a Hazardous Chemical Inventory form (Tier II) to the State Emergency Response Commission and the Owatonna Minnesota Fire Department as required under Section 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) for the 2000 calendar year. This facility was storing at least 10,000 pounds of propane and Inject-R-Kleen. Propane and Inject-R-Kleen are, or contain, EPCRA hazardous chemicals with a minimum storage threshold of 10,000 pounds. The facility came into compliance and agreed to pay a civil penalty of \$3,339. In addition, SPX has agreed to purchase and donate \$7,000 in hazardous materials and first responder equipment to the Owatonna Fire Department. The total settlement is \$10,339.

Contact: Ruth McNamara (312-353-3193)

Investigation, Rouge River Spill, Detroit, Michigan

From May 3 to 17, 2002, Civil Investigator Joe Kawecky was in Detroit, Michigan, assisting in the Rouge River oil spill investigation. Interviews were conducted, document reviews were undertaken, and samples of waste oils collected. Information collected was analyzed to develop a theory of conditions

contributing to the release and determine the compliance status of waste oil recyclers regarding their waste water discharges. One company was found to have numerous violations of its discharge permit.

Contact: Joe Kawecky (312-886-7236)

On-going Investigation, Laurel Jackson Paint, Laurel, Indiana

On May 2 and 3, 2002, Civil Investigator Joe Kawecky was in Indiana expanding the investigation of the Laurel, Indiana, Jackson Paint site. Information obtained has identified two additional locations which may contain large quantities of buried drums of paint wastes. The Stone Church Road site was used by the County as a dump in the 1960's and until possibly 1975. Initial site examination indicated large amounts of buried drums. The McGuire Ridge site is an old farm that has been subdivided and now consists of 3 properties. The farm was used by the brother of the Laurel Road operator for paint mixing. An initial walk through revealed surface and partially buried drums along a small creek that runs through the 3 properties. The investigation continues.

Contact: Joe Kawecky (312-886-7236)

TRAINING/CONFERENCES

Local Emergency Planning Committee Exercise, Ingham County, Mason, Michigan

On May 29, 2002, the Local Emergency Planning Committee Exercise, Ingham County, table top exercise was held at the County emergency operations center in Mason, Michigan. Glenn Cekus was the project coordinator with the Superfund Technical Assistance & Response Team (START) contractor Chris Greene acting as exercise moderator and T. J. McFarlen acting as recorder. The exercise scenario was based upon the Risk Management Plan (RMP) of the Alexander Chemical Company and concerned the release of chlorine from a 1-ton cylinder located at that facility. Approximately 30 participants, representing local response organizations, hospitals, schools, the State of Michigan, and Alexander Chemical, participated in the exercise. The facility's "off-site" response plan was compared to the hypothetical response actions to the scenario. A "hot wash" critique of the exercise followed "play" and evaluations were collected from the participants. The two most noteworthy benefits that were immediately noted during the "hot wash" were the need to update emergency memorandums of understanding with local school districts and the need to develop an outreach program to teach local residents procedures for sheltering in-place during certain

chemical releases. This was the first Local Emergency Planning Committee/Risk Management Planning (LEPC/RMP) exercise held in Michigan.

Contact: Glenn Cekus (312-353-6449)

STAKEHOLDER FEEDBACK

Thank You (Afif Marouf), Resolution of Wetlands Case, State of Minnesota

In an e-mail, dated May 31, 2002, that David Taliaferro, Senior Criminal Attorney, Office of Regional Counsel sent to Afif Marouf, U.S. EPA Region 5, Superfund Division, he expressed appreciation as follows:

"The main defendant in the wetlands case in Minnesota, Dale Cich, agreed to plead guilty late last week. As a result, we don't anticipate any need for further work evaluating Mr. Cich's consultant's report. However, I do want to thank you for the excellent and very timely review you did for us. I relayed the substance of what we discussed with the prosecutor on the case and he was very pleased that, had the trial progressed to that point, we would have been very well prepared to criticize their report and defend our position. It was a pleasure to work with you and I hope I get the opportunity to do so again."

Contact: Afif Marouf (312-353-5550)

Public Meeting, Kalamazoo River, Allegan, Michigan

On May 29, 2002, Bill Muno and a group of Region 5 employees attended a public meeting in Allegan, Michigan, regarding the clean-up of contaminated polychlorinated biphenyl (PCB) sediments in the Kalamazoo River. The following message was received from Robert G. Beck, Chairman of the Kalamazoo River Watershed Council:

"I wish to express the appreciation of the Kalamazoo River Watershed Council for your attending the meeting in Allegan and your efforts to make the meeting a success. I felt the presentations were good and the question and answer session was the most informative I have attended in many years. ...Again I wish to express my appreciation for your efforts in making the meeting in Allegan as successful as it could be. I think it was the best meeting I have attended in years."

Contact: Bill Muno (312-886-7578)

cc: Marianne Horinko (OSWER)
Barry Breen (OECA)
Steve Luftig (OSWER)
Larry Reed (OERR)
Larry Zaragoza (OSWER)
Craig Beasley (OSWER)
Michael Shapiro (OSWER)
Sylvia Lowrance (OECA)
Mike Cook (OERR)
Region 5 State Superfund Coordinators
Division/Office Directors
ORA State Coordinators
Regional Team Managers